

STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
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FTR

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State Victim Advocate

**Testimony of Michelle Cruz, State Victim Advocate
Submitted to the Insurance and Real Estate Committee
Tuesday, February 8, 2011**

Good afternoon Senator Crisco, Representative Megna and distinguished members of the Insurance and Real Estate Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony concerning:

Senate Bill No. 28, An Act Concerning Surety Bail Bond Agents and Professional Bondsmen (Support)

In 1996, Connecticut residents overwhelmingly supported passage of the Victims' Rights Amendment to our state constitution. Among the constitutional rights of crime victims is the right to be treated fairly and with respect; the right to be reasonably protected from the accused; and the right to participate throughout the criminal justice process. The Office of the Victim Advocate (OVA) was created to protect and promote the constitutional rights of crime victims; to evaluate the delivery of services to crime victims; and to recommend changes in policy or legislation to advance the rights of crime victims in Connecticut.

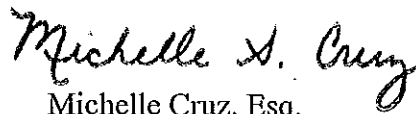
While determining the amount of bond to place on an accused person to assure their appearance in court, a bail commissioner and/or a judicial authority will consider the nature and circumstances of the alleged offense, among other factors. Typically, the more severe the offense is, the higher the bond will be. Likewise, consideration of a defendant's previous conviction history and record of appearance in court may affect the amount of bond recommended by the bail commissioner and set by the court. Connecticut is unique in that when determining bond amounts, our state Courts are permitted to look at the safety concerns of a named victim(s) and/or the community. This is not the case in many of our neighboring states, and shows our legislators' keen sense of insightfulness in allowing bonds to be utilized in this manner. In cases of violent crime, including domestic violence, sexual assault, home invasion, robbery, and the like, the Court and community have a vested interest in setting a bond that will serve to ensure safety. However, when a violent offender's bond is undermined by the minority of bond persons who choose to ignore the standards set by our state, and are protected by the lack of enforcement through our continued failure as a state to address these gaps in our bond system, everyone suffers- crime victims whose offenders are set free to continue to terrorize them and, in the most egregious cases, harm the victims; the integrity of the Courts suffers; and bond persons who adhere to these standards, struggle to maintain their businesses.

Senate Bill No. 28 will improve the accountability and oversight of bail bond agents providing services to the accused persons seeking release on bond. Unfortunately, a lack of attention and supervision over the bail/bond system has created a system whereby certain bonds

agents have undertaken questionable business practices to gain a competitive edge. Accused persons are striking side deals (without paying the statutory required percentage) with bail bond agents to gain release. In some cases, there have been reports that bail bonds agents have paid for the release of an offender, without first meeting the offender and obtaining agreement to the terms of the contracted bond. These practices are having a negative impact on the judicial authority, as well as compromising the safety of crime victims.

I strongly urge the committee to support Senate Bill No. 28 and put an end to the long history of bad business practices by bail bond agents. Thank you for your consideration of my testimony.

Respectfully submitted,

A handwritten signature in black ink that reads "Michelle A. Cruz". The signature is written in a cursive, flowing style.

Michelle Cruz, Esq.
State Victim Advocate